



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT PLANNING AND DEVELOPMENT**

Application Number: 2400521

Applicant Name : Chris Pickering

Address of Proposal: 8038 Burke Ave N

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two (2) parcels into three (3) parcels of land. Proposed parcel sizes are: A) 3,753 square feet; B) 3,753 square feet, and C) 4,042 square feet. The existing principal structure located on proposed parcel C is to remain and the existing principal structure located on proposed parcel B is to be demolished. At the time of this decision there were no building permits related to this subdivision.

The following approval is required:

- **Short Subdivision** - to subdivide two (2) existing parcels into three (3) parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The approximately 11,440 square foot rectangular shaped site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the North Seattle area. The parcels to be subdivided are located between Burke & Stroud Avenues N, just south of N 82nd St. Both parcels have street frontage on Burke Ave N. Burke Ave N is paved with sidewalks but does not have curbs or gutters. There is a fifteen (15') foot unimproved alley that abuts the rear property line, which currently provides vehicle access to the existing residence located on proposed parcel C, which is to remain. Any new residences on proposed parcels A and B will also have vehicle access from the alley. The subject parcels have a distinctive change in elevation; the slope is at its highest elevation (242.9') near the east property line and slopes downward to the west property line (~218').

Surrounding properties and blocks are zoned Single-Family 5000 (SF 5000). Development in the area consists of a variety of one, two-story single-family houses of varying age and architectural style on a variety of lot sizes, ranging in size from approximately 3,800 – 7,700 sq ft. Worth noting, Blanchett High School is just north (1/2 block) of the proposed subdivision.

Proposal

The proposal is to subdivide two (2) parcels of land into three (3) parcels. Proposed lot areas are indicated in the summary above. Proposed parcels A, B and C will have direct pedestrian access to Burke Ave N, with vehicle access to be provided by the adjacent alley (15') to the rear of the proposed properties.

The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended March 10, 2004, DPD received five (5) written comments related to parking, alley access, privacy, potential use of the parcels, and fitting the new development into the existing neighborhood.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for Single Family residential with a minimum lot size of 5,000 square feet (SF 5000) or as provided in SMC 23.44.010-B1b. The proposed subdivision makes use of SMC 23.44.010-B1b, as the proposed lots are below the 5,000 square feet minimum. The three parcels proposed all meet the requirement of 75% of the minimum lot area for the zone (3,750 sq ft) and 80% of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone (3,533 sq ft). The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with (SMC 23.44.041). Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum required rear yard is 20% of lot depth, measured to the centerline of the abutting alley. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. The proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A, B and C will have direct vehicle access to the adjacent fifteen (15) foot alley, which is in common usage but is not improved (paved). Also, all said parcels will have

direct pedestrian access to Burke Ave N. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on February 19th 2004 (WAC ID No. 2004-0167). The existing structures located upon proposed parcels B & C are each connected by means of a single sidesewer to an eight inch diameter public combined sewer (PS) located in Burke Ave N. The (PS) will be the appropriate point for stormwater discharge from any development upon the proposed Short Plat.

Stormwater detention, with controlled release to the (PS) in Burke Ave N, is likely to be required for construction in excess of 2000sf developmental coverage. Plan review requirements will be made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5000 square feet of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are five (5) trees located on or around the perimeter of proposed parcels B and C. Most or all of these trees can be preserved, depending upon the location any future construction, and the extent of the root systems and the overall health of the trees. Thus the proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots. Also, future construction permits will be subject to SMC 25.11 (Tree Protection), which contemplates exceptional and significant tree protection. The genus and species names for the tree(s) located on site are required for review of the applicable tree protection codes, therefore proper conditioning is warranted.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short Subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.

2. Submit the final recording forms for approval and any necessary fees.
3. The existing residence (8032 Burke Ave N) located on proposed parcel C shall be brought into lot coverage conformity per SMC 23.44.010 C & D. The final plat shall include a space for the demolition project and permit numbers which bring the house into lot coverage conformity.
4. The full genus and species names of the trees on site shall be listed for review of the applicable tree protection ordinance (SMC 25.11).

Prior to Separate Transfer of Sale or Ownership

5. The existing structure located on proposed parcel B shall be legally demolished.

Prior to Issuance of Building Permit

6. A copy of this short subdivision shall be attached to all related building permit applications.

Prior to Final Inspection of Building Permit

7. Future construction shall not worsen the existing condition of the abutting alley.

Signature: (signature on file) Date: May 6, 2004
Lucas DeHerrera, Land Use Planner
Department of Planning and Development
Land Use Services

LJD:rgc

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